

**District VI Advisory Board
Minutes**

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**Monday
April 5, 2010
6:30 p.m.**

**Evergreen Recreation Center
2700 N. Woodland
Lounge Clubroom**

The District VI Advisory Board meeting was held at 6:30 p.m. at the Evergreen Recreation Center Lounge Clubroom 2700 N. Woodland. District VI councilwoman led the meeting with eight (8) District Advisory Board members in attendance, seven (7) city staff and sixteen (16) members of the public who signed in.

Members Present

Pat Randleas
Scott Dunakey
Charlie Claycomb
Carol Skaff
John VanWalleghen
Marsha Carr
Bob Aldrich
Cathy Landwher

Members Absent

Jaya Escobar

Staff Present

Battalion Chief Harris, Fire
Terri Dozal, Neighborhood Assistant
Officer Winder, Patrol West
Officer Burnett, Patrol North
Officer Kern, Patrol South
Dale Miller, Planner
Charles Karugu, Public Works

Council Member Janet Miller called the meeting to order at 6:35 p.m. welcoming everyone. **Miller** asked members to introduce themselves and state their representation on the board.

Approval of Agenda

The agenda was approved as submitted. (**VanWalleghen/Aldrich 8-0**)

Approval of Minutes

The minutes for March 1 were approved as submitted (**Aldrich/Claycomb 8-0**) and March 17, 2010 were approved with amendments. (**Skaff/Claycomb 8-0**)

Public Agenda

1. **Scheduled items:** None at this time
2. **Off-agenda items:** None at this time

***** **Action:** Provide comments/take appropriate action.

Staff Presentations

3. Community Police Report

Patrol West: *Officer Winder* reported there had been an assault in the 4000 block of Westlawn and officers held an IMPACT meeting with the area neighbors for follow-up about the crime. *Winder* stated this case was still an on-going investigation. Also the person found in the river was due to a citizen calling in and reporting it.

Patrol South: *Officer Kern* reported there had been 36 burglaries of breaking in through windows and taking cash.

Patrol North: *Officer Burnett* reported on the Anti-Gang walk held Saturday 4-3-10, where approx. 2000 people attended. The patrol felt this was a good first time show of interest and how the public is tired of all the gang violence. We had good input from the public and I'm sure we will have more of these events in the future.

Burnett continued there has been from 10-11 burglaries within detached garages/sheds. Thieves are taking lawn mowers and other equipment. We have several leads and are working on solving this issue. We are asking that you mark your property with some identifying number in case it is stolen it is easier to recover. We have had five successful IMPACT meetings along with setting up three neighborhood watch programs. Officers will be working with the summer activity camps this year. We have also been working with the JUDD program to combat juvenile/underage drinking and we made seven arrests with six of them confiscating liquor. **Carr** asked if the liquor consumed is being purchased by an adult or youth. *Burnett* stated there are several ways to do this and some are working directly with the youth and the other is thru notifying the liquor store owner.

*******Action:** Receive and file

4. **Fire Department Report**

Battalion Chief Harris reported it has been quiet for March with a few structure fires and an average number of medical calls. *Harris* informed everyone about Red Flag Days which are days of low humidity with high winds. This is very serious because there can be lots of grass fires at this time due to people throwing their cigarettes/cigars out of car windows.

*******Action:** Receive and file

New Business

Planning

5. **CON2010-00012**

The District VI Advisory Board (DAB) considered a City Conditional Use to permit wrecking and salvage at 3600 North Ohio Avenue. The members were provided the MAPD staff report for review prior to the meeting. *Dale Miller*, Planner presented the case background, reviewed the staff recommendation and answered questions of members and the public.

Aldrich acknowledged he has an involvement with the case as he is a member of Bridgeport Association but this would not effect his decision tonight.

The Board asked the following questions/comments: *responses in Italics*

- Will vehicles be stored on concrete or ground? *OCI allows rock*
- What about gas tanks, engines and liquids, will they be stored there also? *If you have an accident the vehicle will be towed here and left until able to be repaired. Storage will be on cement.*
- Does the existing chain link fence meet requirements for the conditional use request? With only an 8ft. fence everything can be seen from the freeway. *Nothing can be seen from ground level.*
- Has the applicant met with the surrounding neighbors about their business? *An email was sent to the immediate owners. If this request is approved and the present tenants leave, the property can allow other businesses that aren't wanted. How do you plan to take care of that? We would have to hold another public hearing for any other type of business to go in there.*
- Is this to be just temporary storage for the vehicles?
- Will the cars be stored on top of others?
- How many people are employed for this business? *For this business it will be five to six.*
- The information on the Protective Overlay should be mentioned in the staff report. *The PO doesn't exist at present if this is taken to court. We can only use properties that are in place.*
- Where is this business parking wrecked vehicles now? *They don't have anyplace at present.*
- What will be the average amount of vehicles stored? *Possibly around 100+.*
- Has the applicant already purchased the property? *No, it's the same business that is already there but we will look for office a warehouse business to fill the front half of the property if approved.*

- If I was a business owner in the Bridgeport area, I wouldn't want this there as it would affect property value and the economy.
- Is there a shortage of these kinds of properties where they could go elsewhere? *There are limited areas for this. The former Auto Inn, we were going to lease the property and then it sold to some one else.*

Tom Olson, HOC Industries said he started his business over five years ago in the Bridgeport area. He has many employees and a business that makes millions of dollars. We have been working on the protective overlay to keep unwanted businesses out. We oppose this conditional use. OCI is not influencing regulation of other businesses and I encourage you to drive by the other wrecking/salvage area and it can be seen from I-135. We have worked hard to have a nice industrial park.

John Wadsworth said his piping business is at 37th/ Ohio with 150-200 staff. I'm across the street from this business. I oppose this request as a conditional use would allow wrecking/salvage. Look at Campbell Salvage and Cornejo regulations, OCI doesn't do anything. I have invested lots of money to make my business bigger and we just want to attract a better business.

Council member Miller asked if the conditions listed in the staff report stay with the property, correct. *Miller* responded yes but not as they are currently written.

Lou Eftink, 1330 E. 37th St. / N. said he is not an adjacent neighbor but he can see their back-lot. I've been in construction all my life and I know that once it's in there will be no way to control it. I have helped work on the protective overlay and will fight till the end. OCI is hard to control and I oppose this request. Also, I was not notified of this case.

Ed Roberts, 11514 W. Chartwell stated he was the applicant's representative who is the owner of Autocraft. This will be his sixth location. At present he employees 300 people and it is a first class auto repair business. The vehicles will be towed and stored until they go to be repaired. The applicant does not want a salvage/wrecking facility. There will be no stacking or crushing. The vehicles will be stored and transported out as soon as they can be. This property has zoning to allow this and there is no other place for heavy industry. The applicant is willing to screen and agrees that the conditional use for his operation not to go with the property. I'm here to ask for DAB's understanding as a towing operation has to be a conditional use. The applicant will create jobs for new employees and make an investment with this facility. The owners of the impacted area have been contacted.

Council member Miller asked if this all took place indoors, would anything change. *This would still require a conditional use. If this was in residential it would be non-conforming or illegal.*

Denise Gerber, 2612 Longfellow stated her business was at 3030 N. Ohio a 10, 000 sq. ft. business. We are concerned about property value due to unsightly vehicles and ground pollution. These impound lots attract thieves. It's a shame the board would go against the protective overlay. I'm opposed.

John 1833 Ridge Rd. El Dorado –GROENDYKE said he purchased 17 acres and has 100 employees and 6 acres adjoins this property near 37th/Ohio. He has a hazmat truck terminal. I don't feel this would be a good neighbor.

Leonard Hicks 3515 N. Santa Fe, said we were promised there would not be these kinds of business here We were required to do a business plan that included drainage, concrete and landscape. I can't understand the vehicles not on a paved parking lot. This will add pollution to the property. We have over 6000 people here. OCI is not enforcing the North Broadway salvage. If this goes in then anything is possible to happen.

Carr stated on page 5 conditions #4 in the staff report say something about providing wrecking salvage and I oppose.

Randleas said the drive along 37th is attractive, peaceful and well kept. There is not enough staff or willingness from city government to monitor these facilities and I oppose.

Landwher stated it doesn't sound like bad idea to have the small business in front. It bothers me that OCI is much aligned.

******Action:** The District VI Advisory Board members made a motion to recommend to City Council to deny (**Skaff/Carr 8-0**) the conditional use request based upon jeopardizing the existing property owners businesses and property values.

6. **Nomar International Market District Markers Design (Gateway Tower, Pedestrian Marker and Pedestrian Archway)**

Tony Rangel, Law Kingdon Architect, explained about the 21st Street North Corridor Revitalization Plan that was adopted by City Council in 2005, which calls for the creation of a public market facility in the vicinity of 21st Street and Market.

The City established a partnership with the NOMAR Community Development Corporation (formerly the West 21st Street CDC) for the purpose of developing the Nomar International Market to be located on City owned property on 21st Street North between Market and Broadway. It was determined that an initial, outdoor public market site is preferred as a first phase of development. The construction of this public market is already under way.

As part of the branding of the Nomar Market District, various district markers were envisioned. These include the Gateway Tower, Pedestrian Archway, Pedestrian Markers and the Transit Pavilion. All these markers with the exception of the Gateway Tower and the Pedestrian Archway are in the process of being built.

Rangel stated he was present to show per PowerPoint the drawings and specifications for the Gateway Tower and Pedestrian Archway. *Rangel* also asked for approval from the DAB to proceed with the construction so they can be completed at the same time with the Market.

Dunakey stated he serves at present on the CDC Board and **Aldrich** said he had been on the original Steering Committee board. **Aldrich** said he came up with the name NoMar International.

Randleas asked if this would be the International Market district from Waco to Broadway and if it was the same budget as the original plan. *Rangel* said this area would be a Market sub-district and the budget was the same.

Skaff said it was an exciting project design and the colors depicted Old Mexico. It shows it will be someplace special and welcoming because of the architecture and monument markers.

Claycomb said it was a great pavilion taking shape and was happy to see the Branding simple as with the theatre.

Dunakey thanked *Rangel and Best* for their work on the way this plan was turning out but wanted to know if the monument would be parallel to Broadway. *Rangel* responded it would be facing South at the intersection.

*******Action:** The District VI Advisory Board made a motion to recommend Approval (**Aldrich/VanWalleghen 8-0**) of the preliminary design of the Gateway Tower.

Charles Karugu, Public Works stated they want to finish the Market, markers and intersection at the same time.

7. **Request for Resolution of Support for Application for Housing Tax Credits (10th Street Apartments, 124 W. 10th)**

Mark Stanberry, Housing reported the City has received a request from Kansas Elks Training Center for the Handicapped (KETCH) for a City Council resolution of support for an application for Housing Tax Credits in connection with the construction of a 10-unit apartment building, on property currently owned by KETCH, located at 124 W. 10th. The apartment project will serve income-eligible individuals with developmental disabilities, exclusively.

The proposed building design will allow for five units on the ground floor, and five units below ground level. Amenities will include common areas, outdoor covered seating, and a picnic area. Professional landscaping is proposed, along with an irrigation system.

The Planning Department has reviewed the proposed project, and considers the proposed building design to not be consistent with the adopted Midtown Neighborhood Plan, which designates this site for “Multi-Unit (4-plex or less) Residential Use”, on the 2020 Future Land Use Concept Map. The Office of Central Inspection has also reviewed the proposed project. OCI concurred with the comments provided by the Planning Department, and further noted that screening and landscape buffers will also be required on property lines abutting single-family or duplex zoning to the north and west. OCI further noted that in buildings with more than 4 units, fire sprinklering and fire alarm systems will be required. In addition, the City’s Landscape Ordinance will apply along 10th Street. Buildings, units, and path of travel to the buildings and parking lot will be required to comply with Americans with Disabilities Act Accessibility Guidelines (ADAAG) requirements per the Fair Housing Act.

Stanberry included The Historic Midtown Citizens Association reviewed the proposed project during its March 22, 2010 meeting. Following review of elevation drawings of the proposed building, a preliminary site plan, and photographs of buildings similar to the proposed design, the association voted to support the project.

Aldrich asked what special needs population they were serving. *Stanberry* responded persons with developmental disability.

Ron Passmore 12272 W. Jason Lane CEO of KETCH stated they serve 170 persons who live in their homes or apartments. Some are in groups or they still live at home with their family. We provide staff to work with each individual or they reside overnight at the residence. **Aldrich** asked where the salaries come from. *Passmore* responded from KETCH.

Chris Sand, his property is adjacent to 1067 N. Main stated there is water/soil contamination there and they shouldn’t build on this property and they are putting people in basements. *Passmore* responded the people with physical disabilities are not living in the basements and included they are adding fire sprinklers and additional out door exits. *Passmore* stated he was not aware of environmental review.

Miller asked *Stanberry* if he was aware of this and he responded it wasn’t mentioned.

Mark Cox, 2501 N. Tiemeyer Circle stated there was a Phase I Environmental study performed and they discovered contamination but we won’t start this project if there are concerns.

***** **Action:** The District VI Advisory Board made a motion to recommend Approval (**Randleas/Claycomb 8-0**) of adoption of the resolution of support for the Housing Tax Credit Application, with waiver of the 20% market-rate unit requirement, subject to further review, in accordance with the City of Wichita’s Housing Tax Credit Policy and contingent of an environmental study of the property.

8. **Request for Resolution of Support for Application for Housing Tax Credits (Fairview Apartments, 206 E. 18th)**

Mark Stanberry, Housing reported the City has received a request from 700 N. Market LLC, Tony Krsnich and Farha Construction, for a City Council resolution of support for an application for Housing Tax Credits in connection with the rehabilitation of an existing apartment building located at 206 E. 18th, in order to provide apartment units for income-eligible senior citizens, age 55 and older, exclusively.

The proposed Fairview Apartments complex will offer a total of 24 apartment units, including 22 one-bedroom units, and two two-bedroom units. Amenities will include an office, a common laundry room, a picnic/cookout area, security landscaping, and outdoor benches/seating. Preliminary tax credit rent amounts are estimated to be \$480 per month for the one-bedroom units and \$550 per month for the two-bedroom units.

The Planning Department has reviewed the proposed project and describes it as a rehabilitation/re-use project that is consistent with the Wichita-Sedgwick County Comprehensive Plan Functional Use Map and believe this proposed multi-family residential redevelopment project to be complementary to the existing land use and development pattern of the immediate area, and consistent with the historic preservation themes contained in the 2020 vision statement of the Midtown Neighborhood Plan. The site is a designated State Historic Landmark, and thus, the project will require Historic Preservation Board review. Planning further noted that the property is appropriately zoned, and recommends support for the project, provided that parking capacity needs can be met.

The Office of Central Inspection has also reviewed the project and noted that the property has been the source of neighborhood complaints and the subject of code enforcement actions, for many years. OCI noted, as zoning administrator, that the parking requirement could be reduced to 14 spaces, including an administrative adjustment, for a redevelopment project of this nature. OCI suggested “inset” angled or parallel parking on this property where the property abuts the street Right-Of-Ways on 18th Street and or Market Street, pending review by the City Traffic Engineer, and minor street use permits issued by the Public Works Engineering Office.

OCI further noted that the extent of the remodeling may require installation of fire sprinklers and a fire alarm system, but the project may also be exempt from these requirements, depending on the amount of actual structural changes made to the interior of the building, under the International Existing Building Code provisions, as adopted by the City of Wichita.

Stanberry included the Historic Midtown Citizens Association reviewed the proposed project during its March 22, 2010 meeting and voted to support it.

The Board asked the following questions/comments: *responses in Italics*

- What about the OCI requirement for the sprinkler system or alarm?
- Will there be an elevator?

Ben Farha applicant described the conditions of Market/Fairview are bad due to the tenants. We want to rehab the apartments as affordable housing for seniors. We will have on-site management Builders Inc. and the apartments will have new plumbing, heating, electrical, cabinets, counter tops and fresh paint. We will hold onto the historic features. We will have an elevator near where the handicapped parking spaces are located and there will be 14 parking spaces. The street will hold visitor parking so the seniors are not crossing the street.

- Isn't parking taking the green space? *Yes we will take green space to get appropriate parking.*

Council member Miller stated the HMCA is opposed to demolition of existing structures.

- Will off street parking be allowed? *Yes.*
- There was a case along Zoo Blvd where off street parking was denied. *That could have been because of the width of the street.*

Farha stated he would push for the sprinkler system and alarm.

Landwher stated as she works with elderly people and lives in the HMCA neighborhood she was in favor as this would be a wonderful use for old structure along with providing places to live.

- This project will give much needed new life to the area but I'm concerned about the parking. *We don't want to ask the seniors to walk across the street as it is high traffic.*
- What about snow plowing? *We will have our on-site management take care of this.*

Chris Sand 718-722-730 has been vacant and vandalized. They need a lot of work done and it will cost a lot of money to put on tax roles. I don't think it will be viable for 55 year old residents.

Stanberry said the Historic Tax Credits make these projects viable.

Aldrich said he had a strong concern about the alarm, sprinkler and parking. I don't feel safety is a priority and is

not comfortable with this.

Skaff said viability will fair out and with the senior population I don't know how many will be driving. The sprinkler/alarm needs to be addressed. The on street parking I'm okay with and in favor of restoring buildings.

Carr stated with the residents parking on the opposites side of 18th allows 12 parking spaces on both sides. I'm in favor but want to see that the alarm/sprinkler is refurbished.

Ted Farha said there will be an alarm system. About the parking, not everyone has a car.

Dunakey said he would be comfortable after this is reviewed by the City traffic engineer. *Farha* responded the traffic engineered has reviewed this already.

*******Action:** The District VI Advisory Board made a motion to recommend Approval (**Landwher/Claycomb 7-1 Aldrich**) for adoption of the resolution of support for the Housing Tax Credit Application, with waiver of the 20% market-rate unit requirement, subject to further review, in accordance with the City of Wichita's Housing Tax Credit Policy.

9. **Request for Resolution of Support for Application for Housing Tax Credits (North Market Lofts, 718, 722 and 730 N. Market)**

Mark Stanberry, Housing reported the City has received a request from 700 N. Market LLC, Tony Krsnich and Farha Construction, for a City Council resolution of support for an application for Housing Tax Credits in connection with the rehabilitation of existing apartment buildings located at 718, 722, and 730 N. Market, in order to provide apartment units for income-eligible senior citizens, age 55 and older, exclusively.

The proposed Market Street Lofts Apartments complex will offer a total of 24 apartment units, including 22 one-bedroom units, and two two-bedroom units. Amenities will include an office, a common laundry room, a picnic/cookout area, security landscaping, and outdoor benches/seating. Preliminary tax credit rent amounts are estimated to be \$500 per month for the one-bedroom units and \$575 per month for the two-bedroom units.

The Planning Department has reviewed the proposed project and describes it as a great rehabilitation/re-use project that is consistent with the Wichita-Sedgwick County Comprehensive Plan Functional Use Map. Planning further noted that one of the buildings, 712, is located within the "environs" of a historic landmark, so the portion of the project requiring permits, with respect to this building, will require an Environs Review. The property is appropriately zoned, and Planning recommends support for the project, provided that parking capacity needs can be met on the vacant tract of land to the south of the buildings.

The Office of Central Inspection has also reviewed the proposed project. OCI noted, as zoning administrator, that the parking requirement could be reduced to 14 spaces, including an administrative adjustment, for a redevelopment project of this nature. OCI further noted that the extent of the remodeling may require installation of fire sprinklers and a fire alarm system, but the project may also be exempt from these requirements, depending on the amount of actual structural changes made to the interior of the building, under the International Existing Building Code provisions, as adopted by the City of Wichita.

The Historic Midtown Citizens Association reviewed the proposed project during its March 22, 2010 meeting and voted to support it.

Aldrich asked if this was for people with special needs and 55 or older. *Yes.*

Carr asked about the parking on Market street and emergency snow removal.

Chris Sand said there is crime in the area on the corner and it's considered crack alley. She has a problem with this because of safety for the elderly. This needs to be looked at.

Skaff said this should not deter development.

Carr also stated that public transportation would be close.

Farha said it is on Broadway only one block away.

***** **Action:** The District VI Advisory Board made a motion to recommend Approval (Claycomb/Carr 7-1 Aldrich) for adoption of the resolution of support for the Housing Tax Credit Application, with waiver of the 20% market-rate unit requirement, subject to further review, in accordance with the City of Wichita's Housing Tax Credit Policy.

Board Agenda

10. Problem Properties

Graffiti: 18th street Bridge on both sides of bridge

Graffiti: 11th street and North River Blvd. on lamppost base bleed thru after previously painted

Graffiti: I-235 Spillway at Big River

*******Action:** Receive and propose appropriate action.

11. Neighborhood Reports

There were no reports

*******Action:** Receive and file.

Updates from the councilmember

Announcements

- Next DAB meeting will be on Monday, May 3, 2010

With no further business to discuss the meeting adjourned at 9:15 p.m. (Claycomb/Skaff 8-0)

Guests

Dick Siemer

Denise O'Leary--Siemer

Denise Gerber

John Prather

Christine Eberle

Louis Eftink

Row Pasmore

Ted Farha

Leonard Hicks

John C. Wadsworth

Mark Cox

Richey Frierson

Andrew McKinney

Tony Rangel

Jeff Best

Cynthia Martinez

Respectfully Submitted,

Terri Dozal, Neighborhood Assistant